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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Francischelli, *et al.*

Examiner: Vrettakos, Peter J.

Serial No.: 10/657,987

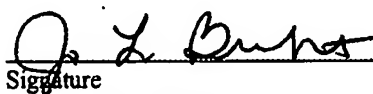
Group Art Unit: 3739

Filing Date: September 9, 2003

Docket No.: P-10081.03

Title: ABLATION SYSTEM AND METHOD OF USE

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on this 16th day of November, 2006.



Signature

Jo L. Brecht

Printed Name

**REQUEST TO REMOVE THE "ABANDONED" STATUS OF THIS APPLICATION OR
IN THE ALTERNATIVE
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Attention: Office of Petitions
MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A notice of abandonment for the above-identified case was mailed 2/27/06. Applicants respectfully submit that the notice of abandonment was clearly in error. A response to the notice was mailed on March 27, 2006. To date, applicants have not received a response from the PTO. A check of the public PAIR system reveals that the status remains "Abandoned".

Applicants respectfully submit this is clearly in error. However, solely in an effort to expedite prosecution, applicants are willing to petition the PTO for an unintentional abandonment of the application. Applicants respectfully submit that the "status" of

Adjustment date: 07/25/2007 CKHLOK
11/21/2006 AWONDAF1 00000012 132546 10657987
01 FC:1453 1500.00 CR

11/21/2006 AWONDAF1 00000012 132546 10657987
01 FC:1453 1500.00 DA

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abandonment is clearly in error and should be withdrawn without the need to file a petition for unintentional abandonment, however, in the alternative, applicants hereby petition for revival of this application.

The entire delay in filing the required reply from the due date for the required reply until the filing of this Petition under 37 C.F.R. § 1.137(b) was unintentional.

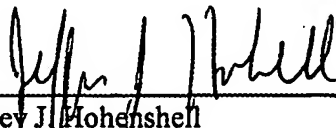
This Petition is accompanied by the following items:

1. A copy of the Response to Notice of Abandonment filed on March 27, 2006;
2. A copy of the date stamped postcard submitted with the Response to Notice of Abandonment filed on March 27, 2006;
3. A copy of the Amendment in response to the Office Action dated August 11, 2005 and accompanying Request for Extension of Time mailed February 9, 2006; and
4. A copy of the date stamped postcard submitted with the Amendment in response to the Office Action mailed February 9, 2006.


If required, please charge the fee of \$1,500.00 due under 37 C.F.R. § 1.17(m), and any additional required fees, or credit any overpayment to Deposit Account No. 13-2546.

Respectfully submitted,
David E. Francischelli, *et al.*

Date: November 16, 2006

By 
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UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>07/24/07</u>		2 Serial/Patent # <u>10/657,987</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
<input type="checkbox"/>	Filing			\$							
<input type="checkbox"/>	Amendment			\$							
<input type="checkbox"/>	Extension of Time			\$							
<input type="checkbox"/>	Notice of Appeal/Appeal			\$							
<input checked="" type="checkbox"/>	Petition	WFEE	11/20/06	\$ 1,500.00							
<input type="checkbox"/>	Issue			\$							
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$							
<input type="checkbox"/>	Maintenance			\$							
<input type="checkbox"/>	Assignment			\$							
<input type="checkbox"/>	Other			\$							
		7 TOTAL AMOUNT OF REFUND		\$ 1,500.00							
		8 TO BE REFUNDED BY:									
10 REASON:		Treasury Check									
<input type="checkbox"/>	Overpayment	<input checked="" type="checkbox"/>	Credit Deposit A/C #:								
<input type="checkbox"/>	Duplicate Payment	9 <table border="1" style="display: inline-table; text-align: center;"> <tr> <td>1</td><td>3</td><td>--</td><td>2</td><td>5</td><td>4</td><td>6</td> </tr> </table>			1	3	--	2	5	4	6
1	3	--	2	5	4	6					
<input checked="" type="checkbox"/>	No Fee Due (Explanation):										
Response timely filed.											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Andrea Smith</u>		TITLE: <u>Petitions Examiner</u>									
SIGNATURE: <u>/Andrea Smith/</u>		PHONE: <u>2-3226</u>									
OFFICE: <u>Office of Petitions</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u></u>		DATE: <u>7/25/07</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**